

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
)
)
v.) Criminal No.04-CR-10153-RWZ
)
)
MANUEL DE JESUS NOVOA-BAIRES,)
Defendant.)

NOTICE OF APPEAL

Notice is hereby given that the United States of America (the prosecution in the above-captioned case) hereby appeals to the United States Court of Appeals for the First Circuit from the sentence imposed on the defendant, Manuel De Jesus Novoa-Baires, by the district court (Zobel, J.) on August 4, 2005, and the resulting sentence and Judgment in a Criminal Case (entered on the docket on August 8, 2005).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney

Dated: September 7, 2005